

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 91, "Waterfowl and Coot Hunting Seasons," Iowa Administrative Code.

These amendments make annual adjustments to season dates to comply with federal regulations and to ensure the seasons open on weekends.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 7, 2010, as **ARC 8682B**. A public hearing was held on April 27, 2010. A total of 41 comments were received during the comment period. The majority of the comments received wanted the duck season to open a week later in the south zone. A few participants also preferred more time to hunt Canada geese in October rather than in December and January. The changes made from the Notice reflect those preferences as well as changes in federal regulations.

The duck season length is the same as used for the 2009-2010 season and is the maximum allowed by federal regulations, which is 60 days. The dates for the second segment of duck season in the south zone are changed from the Notice of Intended Action, and the season will open October 23, a week later than the season in the north zone. Federal regulations for the 2010-2011 season allow the same bag limits for ducks to be used this year as were used last year, except the daily bag limit for pintails was increased from one to two. The youth waterfowl hunting season dates have been changed in the north zone from October 9 and 10 to October 2 and 3. The youth waterfowl hunting dates (October 9 and 10) in the south zone did not change. These dates increase the opportunity for youth hunters to be in the field.

The Canada goose season dates were changed in both the north and south zones because federal regulations increased the length of the Canada goose season from 90 to 107 days. These changes in the Canada goose season dates made it necessary to modify the season dates for the light goose season and the conservation order season. The Canada goose daily bag limit was increased from two to three, as permitted by federal regulation, after October 31. Although the three-bird daily bag limit was available to be used throughout the entire Canada goose season, population and harvest data suggest that Iowa's Canada goose population may not be able to maintain itself at its current level if a three-bird daily bag limit is used for the entire season.

The Department finds, pursuant to Iowa Code section 17A.5(2)"b"(2), that the normal effective date of these amendments should be waived and these amendments should be made effective upon filing with the Administrative Rules Coordinator on August 16, 2010, as the amendments confer a benefit.

These amendments became effective August 16, 2010.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39 and 481A.48.

The following amendments are adopted.

ITEM 1. Amend subrules 91.1(2), 91.1(3) and 91.1(4) as follows:

91.1(2) Season dates - north zone. For all ducks: September ~~19~~ 18 through September ~~23~~ 22 and October ~~10~~ 16 through December ~~3~~ 9.

91.1(3) Season dates - south zone. For all ducks: September ~~19~~ 18 through September ~~23~~ 22 and October ~~17~~ 23 through December ~~10~~ 16.

91.1(4) Bag limit. The daily bag limit of ducks is 6, and may include no more than 4 mallards (no more than 2 of which may be females), 1 black duck, 3 wood ducks, ~~4 pintail~~ 2 pintails, 1 mottled duck, 1 canvasback, 2 redheads, and 2 scaup. The daily bag limit of mergansers is 5, only 2 of which may be hooded mergansers.

ITEM 2. Amend subrules 91.3(2), 91.3(3) and 91.3(4) as follows:

91.3(2) Season dates - north zone. Canada geese and brant: September ~~26~~ 25 through October ~~4~~ 10 and October ~~10~~ 16 through ~~December 13 and December 19~~ through January ~~3, 2010~~ 5, 2011. White-fronted geese: September ~~26~~ 25 through December ~~6~~ 5. Light geese (white and blue-phase snow geese and Ross' geese): September ~~26~~ 25 through January ~~10, 2010~~ 9, 2011.

91.3(3) Season dates - south zone. Canada geese and brant: ~~September 26~~ October 2 through October 4-17 and October 17-23 through ~~December 13 and December 19~~ through January 10, 2010 12, 2011. White-fronted geese: ~~September 26~~ October 2 through December 6 12. Light geese (white and blue-phase snow geese and Ross' geese): ~~September 26~~ October 2 through January 10, 2010 14, 2011.

91.3(4) Bag limit. ~~Daily bag limit is 2 Canada geese, 2 white-fronted geese, 1 brant, and 20 snow geese.~~ The daily bag limit for Canada geese is 2 from September 25 through October 31 and 3 from November 1 through the end of the season. The daily bag limits for white-fronted geese, brant, and light geese are 2 white-fronted geese, 1 brant, and 20 light geese (white and blue-phase snow geese and Ross' geese).

ITEM 3. Amend subrules 91.3(7), 91.3(9), 91.3(10) and 91.3(11) as follows:

91.3(7) Light goose conservation order season. Only light geese (white and blue-phase snow geese and Ross' geese) may be taken under a conservation order from the U.S. Fish and Wildlife Service from January 11, 2010 15, 2011, through April 15, 2010 2011.

a. to e. No change.

91.3(9) Cedar Rapids/Iowa City goose hunting zone.

a. Season dates. September 1 4 through September 15 12.

b. to d. No change.

91.3(10) Des Moines goose hunting zone.

a. Season dates. September 1 4 through September 15 12.

b. to d. No change.

91.3(11) Cedar Falls/Waterloo goose hunting zone.

a. Season dates. September 1 4 through September 15 12.

b. to d. No change.

ITEM 4. Amend rule 571—91.6(481A) as follows:

571—91.6(481A) Youth waterfowl hunt. A special youth waterfowl hunt will be held on October 3 and 4, 2009 2 and 3, 2010, in the north duck hunting zone and October 3 and 4, 2009 9 and 10, 2010, in the south duck hunting zone. Youth hunters must be residents of Iowa as defined in Iowa Code section 483A.1A and less than 16 years old. Each youth hunter must be accompanied by an adult 18 years old or older. The youth hunter does not need to have a hunting license or stamps. The adult must have a valid hunting license and habitat stamp if normally required to have them to hunt and a state waterfowl stamp. Only the youth hunter may shoot ducks and coots. The adult may hunt for any other game birds for which the season is open. The daily bag and possession limits are the same as for the regular waterfowl season, as defined in rule 571—91.1(481A). All other hunting regulations in effect for the regular waterfowl season apply to the youth hunt.

[Filed Emergency After Notice 8/16/10, effective 8/16/10]

[Published 9/8/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/8/10.